

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>IN RE:</b>	:	
<b>KENNETH PATRICK RAY</b>	:	<b>CHAPTER 13</b>
<b>a/k/a KENNETH P. RAY,</b>	:	
<b>Debtor</b>	:	<b>CASE NO.: 1-22-00036-HWV</b>
	:	
<b>KENNETH PATRICK RAY</b>	:	
<b>a/k/a KENNETH P. RAY,</b>	:	
<b>Movant</b>	:	
	:	
<b>vs.</b>	:	
	:	
<b>JACK N. ZAHAROPOULOS, ESQUIRE</b>	:	
<b>CHAPTER 13 TRUSTEE,</b>	:	
<b>FAY MORTGAGE SERVICING,</b>	:	
<b>M&amp;T BANK, and</b>	:	
<b>FRANKLIN COUNTY TAX CLAIM BUREAU</b>	:	
<b>Respondents</b>	:	

**ORDER**

Upon consideration of Debtor's Motion to Sell Real Estate Free and Clear of Liens, and it appearing that no Objection or Answer was filed to the Motion by the time set forth in an Order, good reason appearing therefore, no objections appearing thereto, it is hereby declared that the Buyer (and/or its designee) is a good faith purchaser for purposes of Section 363(m) and (n) and for purposes of *In re Abbotts Dairies of Pennsylvania Inc.*, 788 F.2d 143 (3<sup>rd</sup> Cir. 1986);

**IT IS HEREBY ORDERED AND DECREED** that Federal Bankruptcy Rule 6004(g) is not applicable, and the real property may be sold and purchased immediately upon entry of Order of Court approving same and that the sale of real estate at 11734 Ridge Road, Greencastle, Franklin County, Pennsylvania, free and clear of liens, to Nelson E. Shank, for \$209,000.00 is approved and distribution of the proceeds as set forth below shall be permitted:

1. Payment of all closing costs for which Debtor is liable.

2. Payment of attorney's fees in the amount of \$3,500.00, to be applied to Debtor's costs and Attorney fees billed on an hourly basis.

3. Payment of any and all other miscellaneous fees involved with the sale.

4. Payment of any liens and mortgages.

5. As long as same is a valid lien on subject real estate, payment in full of Franklin County Tax Claim Bureau real estate taxes, if any, or else the sale will not occur.

6. As long as same is a valid lien on subject real estate, payment in full of Fay Mortgage Servicing (first mortgage), or else the sale will not occur.

7. As long as same is a valid lien on subject real estate, payment in full of M&T Bank second mortgage, or else the sale will not occur.

8. If there are net proceeds remaining after paying all of the costs, fees and liens set forth in the preceding paragraphs, then payment of any and all attorney fees owed to Debtor's counsel for representation in the above matter.

9. If there are net proceeds remaining after paying all the costs, fees and liens set forth in the preceding paragraphs, then payment of the non exempt portion of the proceeds, from the sale of the real estate or \$7,400.00, whichever is greater, to Trustee Jack N. Zaharopoulos, Esquire.

10. If there are net proceeds remaining after paying all the costs, fees and liens set forth in the preceding paragraphs, then the remaining balance, if any, shall be distributed to the Debtor.